

DOCKET NO. END-736

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Messerly, Jeffrey D.

Serial No.: 09/826,070 Art Unit: 3731

Filed : April 4, 2001 Examiner: Vy Q. Bui

For : BLADES WITH FUNCTIONAL BALANCE ASSYMETRIES FOR USE WITH ULTRASONIC SURGICAL INSTRUMENTS

I hereby certify that this correspondence is being transmitted via facsimile
To the Commissioner for Patents at facsimile number (703) 872-9306 on:

September 16, 2004

(Date of Deposit)

Linda F. Hansen

(Name of applicant, person mailing, assignee, or Registered Representative)

(Signature)

September 16, 2004

(Date of Signature)

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant(s) hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated April 16, 2004 finally rejecting Claims 21-25, 27 and 28 of the above-identified application.

The item(s) checked below are appropriate:

1. An extension of time to respond to the final rejection was granted on _____ for _____ month(s).
2. A Petition For Extension Of Time under 37 CFR 1.136 is attached hereto in triplicate.
3. A timely response to the final rejection has been filed.
4. Fee \$320.00: for filing of Notice of Appeal
 Not required (fee paid in prior appeal)
 Charge to Deposit Account No. 10-0750/END-736/VEK. Two additional copies of this Notice are enclosed herewith.
The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment in connection herewith to Deposit Account No. 10-0750/END-736/VEK.

Respectfully submitted,

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Date: September 16, 2004

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